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N.J. BOARD OF DENTISTRY
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE LICENSE OF :

ARKADY PAVLOV, D.D.S.
License No. 22DI02033700

TO PRACTICE DENTISTRY
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Dentistry upon receipt of information that Arkady Pavlov, D.D.S., ("Dr. Pavlov" or "respondent"), had been sanctioned by the licensing authorities of the States of New York and Pennsylvania. Based on those sister state actions, the Board issued a Provisional Order of Discipline on January 17, 2008, in which it made provisional findings of fact and conclusions of law. That order advised respondent that he had an opportunity to contest the provisional findings through submission of documentation within thirty business days of the entry of the Provisional Order.

The Provisional Order was sent to Dr. Pavlov's attorney by certified and regular mail. No response was received by the Board within the thirty day period. On April 2, 2008, the Board considered the matter. In the absence of a response from Dr. Pavlov, the Board has determined to finalize the order as provisionally entered.

FINDINGS OF FACT

1. Arkady Pavlov, D.D.S. ("respondent") is a dentist in the State of New Jersey and has been a licensee at all times relevant hereto. Respondent's license is currently in active status.

2. On or about March 10, 2006, the New York State Education Department, Office of Professional Discipline, State Board for Dentistry ("New York Board") entered into a consent order with respondent. According to information received by the New York Board, respondent's license to practice dentistry in the State of New York was suspended for a period of two (2) years with the execution of the suspension to be stayed. Respondent was placed on probation for a period of two (2) years and he was fined in the amount of seven thousand five hundred dollars (\$7,500.00). The disciplinary action taken by the New York Board was based on findings that respondent engaged in professional misconduct by permitting an unlicensed person to perform activities requiring a license, specifically by allowing an unlicensed employee to practice dentistry in respondent's office between 1999 and June 2003.

3. On or about January 18, 2006, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, State Board of Dentistry ("Pennsylvania Board") entered into a consent order with respondent whereby he agreed to the voluntary surrender of his license to practice dentistry in the Commonwealth of Pennsylvania. The disciplinary action taken by the Pennsylvania Board was based on findings that respondent entered into a consent order with the New York Board thereby admitting guilt to the specification of professional misconduct charging

respondent with permitting an unlicensed person to practice dentistry in Respondent's office between 1999 and June 2003.

4. On his license renewal application for the 2005-2007 biennial period, respondent was asked "Since your last renewal has any action been taken or is any action now pending against your professional license or have you been permitted to surrender or otherwise relinquish your license to avoid inquiry, investigation or action by any other licensing authority that you have not already reported to your board/committee?" In response to that question, respondent answered "no". The date of respondent's answer to that question was September 21, 2005. However, respondent previously made application for a consent order with the New York Board in December 2004.

5. On his license renewal application for the 2007-2009 biennial period, respondent was again asked, "Since your last renewal has any action been taken or is any action now pending against your professional license or have you been permitted to surrender or otherwise relinquish your license to avoid inquiry, investigation or action by any other licensing authority that you have not already reported to your board/committee?" In response to that question, respondent answered "no". The date of respondent's answer to that question was September 4, 2007. However, the New York Consent Order entered against respondent is dated March 10, 2006. Additionally, the Pennsylvania Consent Order entered against respondent was signed by respondent on December 27, 2005.

CONCLUSIONS OF LAW

1. The above findings of fact establish a basis for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(g), in that respondent has had his authority to engage in the practice of dentistry suspended by the New York State Board for

Dentistry and the Pennsylvania State Board of Dentistry for reasons consistent with the provisions of N.J.S.A. 45:1-21.

2. The above findings of fact also provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(e), in that respondent has engaged in professional or occupational misconduct by indicating on his applications for the 2005-2007 and 2007-2009 biennial renewal periods that no action had been taken or was pending against his professional license or that he was permitted to surrender or otherwise relinquish his license by any other licensing authority that he had not already reported to the Board.

3. The above preliminary findings of fact also provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21-(a), in that respondent has obtained the renewal of his license through fraud, deception or misrepresentation.

ACCORDINGLY, IT IS on this 7th day of May, 2008,

ORDERED that:

1. Respondent's license to practice dentistry in the State of New Jersey is suspended for a period of two (2) years commencing upon the entry of a final order. The entire suspension period shall be stayed.

2. Respondent shall be assessed a civil penalty in the amount of \$2,000.00 (two thousand dollars) for falsely indicating on his 2005-2007 and 2007-2009 biennial renewals that no action had been taken or was pending against his professional license or that he was permitted to surrender or otherwise relinquish his license by any other licensing authority that he had not already reported to the Board.

3. In the event that the Board receives reliable information that respondent failed to fulfill the requirements of the New York or Pennsylvania Consent Orders, the suspension

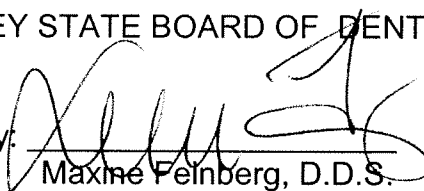
shall automatically become active and shall continue until further order of the Board after respondent provides proof that he has complied with all of the provisions of the New York Consent Order or the Pennsylvania Consent Order respectively. Additionally, the stayed suspension shall be activated should respondent engage in any improprieties or violations of the Board's statutes or regulations during the stayed suspension period.

4. Respondent shall cease and desist from violating the statutes and regulations governing the practice of dentistry in the State of New Jersey. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

5. Payment of the civil penalty of \$2,000 shall be made within thirty (30) days of the entry of this Final Order and sent to Jonathan Eisenmenger, Executive Director, Board of Dentistry, P.O. Box 45005, Newark, New Jersey 07101. Failure to make payment within thirty days shall result in the filing of a certificate of debt.

NEW JERSEY STATE BOARD OF DENTISTRY

By:


Maxine Feinberg, D.D.S.
Board President